

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,
Plaintiff,

v.

HANH THI NGUYEN, et al.,
Defendants.

Case No. [19-cv-06170-WHO](#)

**ORDER TO SHOW CAUSE RE
FAILURE TO PARTICIPATE IN
LITIGATION AND TERMINATING
SANCTIONS**

Individual defendants Hanh Thi Nguyen, in individual and representative capacity as trustee of The Survivors Trust of The 2001 Ba Van Le Family Trust, Dep Thi Nguyen, in individual and representative capacity as trustee of The 2000 Henry Le Family Trust, Chieu Van Le, Annie Le Nguyen, Au Thi Le, My-Dung Thi Le, Lau Van Le and My-Ngoc Thi Le, (collectively “Defendants”) answered the Complaint in October 2019 but since then have utterly failed to participate in the litigation. They did not comply in any way with the requirements of General Order No. 56, including failing to participate in the mediation, failed to participate in the preparation of the Joint Case Management Statement required prior to today’s Case Management Conference, and failed to appear at the Case Management Conference.

Defendants are ORDERED TO SHOW CAUSE why this Court should not STRIKE their Answer and enter DEFAULT for their wholesale failure to prosecute their defense, and to hold them in CONTEMPT for failing to appear as required at the Case Management Conference. To satisfy the ORDER TO SHOW CAUSE, Defendants shall explain their lack of compliance with rules of this Court and lack of engagement with this litigation, in writing and under oath, shall describe the steps they are taking to defend the litigation, and shall participate in the drafting and filing of a Joint Case Management Statement that proposes a schedule to bring this case promptly

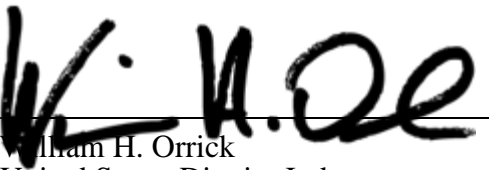
1 to trial.

2 Defendants shall file their written response no later than **March 22, 2022**, and the Joint
3 Case Management Conference Statement shall be filed on the same day. Failure to respond with a
4 showing of good cause will result in an Order striking their Answer and entering default against
5 them. A Case Management Conference is set for March 29, 2022 at 2 p.m.

6 Plaintiff's counsel shall ensure prompt service of this Order to Show Cause on all of the
7 defendants.

8 **IT IS SO ORDERED.**

9 Dated: February 8, 2022

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12 William H. Orrick
13 United States District Judge
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United States District Court
Northern District of California